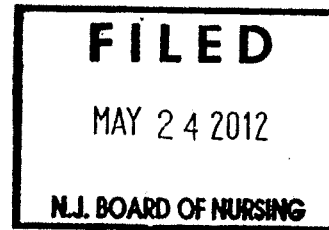


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION:
OR REVOCATION OF THE LICENSE OF:

Administrative Action

Donna Marie Ocansey, R.N.
License no. 26 NO 10239800

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TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Final Order of Discipline

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information that the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Donna Marie Ocansey ("Respondent") is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto, holding New Jersey license 26NO10239800 since August 31, 1992.

2. The New Jersey State Board of Nursing is charged with the duty and responsibility of regulating the practice of

nursing in the State of New Jersey pursuant to N.J.S.A. 45:11-1 et seq. and regulations set forth in N.J.A.C. 13:37.

3. In a Plea Agreement dated March 26, 2010 between Respondent and U.S. Attorney of the District of New Jersey, Respondent admitted to violating 18 U.S.C. 1035, false statements regarding health care benefits for the period July 2009 through December 2009 in Camden County, in the District of New Jersey and elsewhere. (Attached hereto as Exhibit A is a true and accurate copy of the Plea Agreement).

4. Respondent, while an employee of Maxim Healthcare Services, Inc., 7227 Lee DeForest Drive, Columbia, MD. knowingly and willfully 1) falsified, concealed and covered up by trick, scheme and device a material fact, and 2) made materially false, fictitious, and fraudulent statements and representation, and made and used materially false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, in connection with the delivery of and payments for health care benefits, items and services. (Attached hereto as Exhibit B is a true and accurate copy of the charge of J. Gilmore Childress, U.S. Attorney).

5. On October 18, 2011, Senior U.S. District Judge Anne E. Thompson rendered judgment in this criminal case, sentencing being imposed pursuant to the Sentencing Reform Act of 1984. (Attached hereto as Exhibit C is a true and accurate copy of the

Judgment).

6. Respondent was placed on probation for a term of three (3) years.

- a. While on probation, Respondent was to submit to one drug test within fifteen (15) days of commencement of probation, and at least two (2) tests thereafter.
- b. Respondent shall pay a fine of \$2,000 and special assessment of \$100.00. The fine was to be paid in monthly installments of no less than \$75.00 to commence thirty (30) days after the date of judgment.
- c. Respondent shall participate in the Location Monitoring Program for a period of four (4) months commencing at the direction of the U.S. Probation Office.
- d. Respondent shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in her name, and the use of alcohol, and shall submit to urine analysis or other forms of testing to ensure compliance.
- e. Respondent shall submit to evaluation and treatment on an outpatient or inpatient basis, as approved by the U.S. Probation Office.
- f. Respondent shall undergo treatment in a mental health program approved by the U.S. Probation Office until discharged by the Court.
- g. Respondent was prohibited from incurring any new credit charges, opening additional lines of credit, or incurring any new monetary loan, obligation or debt without the approval of the U.S. Probation Office.

DISCUSSION

The Board is cognizant of the fact that Respondent entered into a Plea Agreement dated March 26, 2010 with the U.S. Attorney of the District of New Jersey wherein Respondent admitted to violating 18 U.S.C. 1035, false statements regarding health care benefits for the period July 2009 through December 2009 in Camden County, in the District of New Jersey and elsewhere and that on October 18, 2011, Respondent was placed on probation for a term of three years by Senior U.S. District Judge Anne E. Thompson.

The Board takes seriously its statutory mandate to regulate the practice of nursing in the State of New Jersey, ensuring honest, competent and trustworthy licensees. The Board's primary mission is to protect the public by regulating the nursing profession. The Board finds that Respondent not only acted in violation of N.J.S.A. 45:1-21(b) by engaging in dishonesty, fraud, deception and misrepresentation, resulting from a violation of 18 U.S.C. 1035, but that her conduct related adversely to the practice of nursing. Respondent by knowingly and willfully making materially false writing and documents while an employee of Maxim Healthcare Services, Inc. enabled her employers to manipulate the health care system in order to

wrongfully obtain payments of health care benefits.

The Board's imposition of a suspension in this matter is reasonable, as Ms. Ocansey's conduct involved dishonesty directly affecting her profession. The Board finds that any sanction short of suspension would inadequately address the conduct at issue, make a mockery of the Board's role of public protection, and impact the public's trust in the licensure system. Inadequate sanctions in this instance would also convey an undesirable message to the regulated community in terms of deterrence of similar future conduct.

With regard to the \$2,000 in penalty and \$1,868.34 in costs sought by the Provisional Order, the Board notes that penalty and costs are sufficient to reflect the gravity of the offense.

ACCORDINGLY, IT IS ON THIS 24th DAY OF May 2012

ORDERED THAT:

1. Respondent's license to practice nursing be and hereby is suspended for a period of two years for violations of N.J.S.A. 45:1-21(b) engaging in dishonesty, fraud, deception and misrepresentation, resulting from a violation of 18 USC 1035.

2. Respondent shall pay penalty of \$2,000.00 and costs in the amount of \$1868.34 upon the filing of a Final Order of Discipline. Payment shall be made by certified check, bank check

or money order made payable to the State of New Jersey and mailed to George Hebert, Executive Director, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey, 07101.

3. At the time of application for reinstatement, the Board may in its sole discretion require Respondent to appear to demonstrate to the satisfaction of the Board her fitness and competency to perform the functions of a licensee.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy PhD, APN, C
President

Dated: